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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

ORIGINAL  
FILE

In the matter of )  
 )  
Amendment to Section 1.773 of the )  
Commission's Rules Regarding )  
Pleading Cycle for Petitions )  
Against Tariff Filings Made on )  
14-Days' Notice )

CC Docket No. 92-117

REPLY COMMENTS OF GTE

GTE Service Corporation and  
its affiliated domestic  
telephone operating companies

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### SUMMARY

GTE agrees with the Commission's proposed changes in the rules governing the pleading cycle for tariff filings made on 14 day's notice, except that the rules should make it clear that: (1) parties outside North America may be served by a domestic or Washington DC representative; (2) personal service may be accomplished by facsimile or overnight mail capable of delivery to both street and post office box addresses; and (3) tariff filers and petitioners must designate contact telephone and facsimile numbers within their filed documents. Further:

(i) GTE supports the Bell Atlantic proposal that the filing carrier should always have a minimum of two business days to prepare and file a reply.

(ii) GTE supports the proposal of U S WEST that the Commission should continue to allow carriers the option to serve petitioners by mail.

(iii) GTE opposes as burdensome and unnecessary IRA's recommendations of a requirement for same-day fax transmission of transmittal pages to interested parties and, within two business hours of a telephone or fax request from interested parties, of the entire transmittal.

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REPLY COMMENTS OF GTE

GTE Service Corporation, on behalf of its affiliated domestic telephone operating companies ("GTE"), offers its reply to filings by Bell Atlantic, the Interexchange Resellers Association ("IRA") and U S WEST Communications, Inc. ("U S WEST") in response to the Commission's Notice of Proposed Rulemaking ("NPRM"), released June 1, 1992. The NPRM proposes to adjust the pleading cycle governing tariff filings made on 14-days' notice and tentatively concludes that all pleadings must be personally served on the parties involved in the tariff proceeding.

In its comments, GTE generally supported the rule change, but proposed modifying the rule to (1) allow parties outside North America to be served by a domestic or Washington DC representative; (2) clarify that personal service can be accomplished by facsimile or overnight mail capable of delivery to both street and post office box addresses; and (3) require tariff filers and petitioners to designate contact telephone and facsimile numbers within their filed documents.

## DISCUSSION

1. **The filing carrier should have at least two business days to reply.**

Bell Atlantic (at 2) correctly observes that the proposed rules might afford a filing carrier less than a day to prepare and file a reply: "If a petition is filed late on a Friday afternoon, the person who would prepare the reply may not actually receive it until the following Monday, which is the day the reply would be due." Virtually any party would find it difficult to gather meaningful information and prepare an effective response in such a short time. GTE supports the proposal of Bell Atlantic (at 2) that "the filing carrier should always have a minimum of two business days to prepare and file a reply". GTE believes the Commission will still have sufficient time to evaluate and respond to all opposing arguments and rebuttals.

2. **Personal service of replies should not be required.**

Multiple commentators noted that personal service of replies should not be required. Cited as supporting reasons were lack of opportunity to file a surreply, and the fact that personal service has no impact on the Commission's time to (i) consider petitions and replies and then (ii) draft an order. GTE supports the proposal of U S WEST (at 4) that the Commission should modify its proposal and "continue to allow carriers the option to serve petitioners by mail."

**3. Transmission of filings via fax should not be required.**

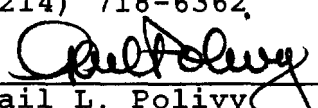
IRA (at 1) recommends the Commission "order carriers that file tariff amendments on 14 day's notice be required to transmit such filings via facsimile (fax) on the same date that the carrier files a transmittal with the Commission". In addition, IRA (at 1) recommends "carriers fax the tariff transmittal pages to interested parties and make provisions to fax the entire contents of the transmittal within two business hours of a telephone or fax request from interested parties".

GTE opposes adoption of IRA's recommendations because it would place a substantial and unnecessary administrative burden on filing carriers, as well as the Commission.

Respectfully submitted,

GTE Service Corporation and  
its affiliated domestic  
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### Certificate of Service

I, Jennifer R. McCain, hereby certify that copies of the foregoing "Reply Comments of GTE" have been mailed by first class United States mail, postage prepaid, on the 7th day of August, 1992 to the following parties.

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